

Message Text

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ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

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R 130316Z FEB 76
FM SECSTATE WASHDC
TO AMEMBASSY BRASILIA
INFO AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

C O N F I D E N T I A L STATE 035819

EXDIS

EO. 11652: GDS

TAGS: ETRD, OVIP, PFOR, BR

SUBJECT: SECRETARY'S VISIT AND ITC FOOTWEAR CASE

REF: BRASILIA 972, STATE 3557

1. DEPARTMENT APPRECIATES EMBASSY'S CONCERN OVER COINCIDENCE OF SECRETARY'S VISIT AND ITC DECISION IN FOOTWEAR CASE. ACCORDINGLY, WE DISCUSSED WITH THE INTERNATIONAL TRADE COMMISSION THE POSSIBILITY OF MOVING UP THE ANNOUNCEMENT TO A DATE BEFORE THE VISIT. WE WERE ADVISED THAT THE COMMISSION HAS BEEN ENDEAVORING TO COMPLETE ITS PROCEEDING AT THE EARLIEST PRACTICABLE DATE BUT THAT AS ITS DOCKET NOW STANDS, THERE IS NO WAY THAT IT CAN MAKE ANY ANNOUNCEMENT BEFORE FEBRUARY 20. THE COMMISSION HAS EIGHT ESCAPE CLAUSE CASES PENDING ON ITS DOCKET. IN FIVE
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OF THE EIGHT CASES THE COMMISSION MUST MAKE DETERMINATIONS

BEFORE MARCH 17; IN THREE OF THE FIVE, BEFORE FEBRUARY 28;
AND IN ONE OF THE THREE, SLIDE FASTENERS AND PARTS, BEFORE
FEBRUARY 18, ONLY TWO DAYS BEFORE THE STATUTORY DEADLINE
FOR FOOTWEAR. AS NOTED BY THE MISSION, THERE IS UNFOR-
TUNATELY NO POSSIBILITY OF PUTTING THE ANNOUNCEMENT OFF
TO A DATE BEYOND FEBRUARY 20.

2. IN EVENT OF POSITIVE DECISION, WE WOULD EMPHASIZE
THAT IT WAS BASED ON A THOROUGH INVESTIGATION BY AN
INDEPENDENT, FACT FINDING AGENCY; THAT THE PROCEEDING
INCLUDED A PUBLIC HEARING AT WHICH ALL INTERESTED PARTIES
WERE AFFORDED AN OPPORTUNITY TO APPEAR AND PROVIDE
INFORMATION AND VIEWS AND THAT, IN MAKING ITS OVERALL
ASSESSMENT, THE COMMISSION CONSIDERED THE EFFECTS OF
AGGREGATE IMPORTS FROM ALL SUPPLYING COUNTRIES PURSUANT
TO SPECIFIC GUIDELINES LAID DOWN IN THE TRADE ACT OF 1974.
IN SO DOING, WE WOULD SEEK TO DISPEL ANY MISUNDERSTANDING
THAT THE DETERMINATION WAS DIRECTED AGAINST SHIPMENTS
FROM ANY SPECIFIC REGION OR PARTICULAR EXPORTING COUNTRY.
AS EMBASSY AWARE, INTERAGENCY TASK FORCE HAS 60 DAYS TO
REVIEW ITC DECISION AND TO RECOMMEND TO PRESIDENT THAT
HE ACCEPT, REJECT OR MODIFY ITC RECOMMENDED ACTION. INGERSOLL

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOOTWEAR, MINISTERIAL VISITS, TRADE AGREEMENTS, INVESTIGATIONS, ESCAPE CLAUSE (TARIFF)
Control Number: n/a
Copy: SINGLE
Draft Date: 13 FEB 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: buchant0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE035819
Document Source: CORE
Document Unique ID: 00
Drafter: WTDIROLL:JH
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760056-0761
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760249/aaaabqze.tel
Line Count: 83
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 76 BRASILIA 972, 76 STATE 3557
Review Action: RELEASED, APPROVED
Review Authority: buchant0
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 JUL 2004 by SmithRJ>; APPROVED <21 OCT 2004 by buchant0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SECRETARY'S VISIT AND ITC FOOTWEAR CASE
TAGS: ETRD, OVIP, PFOR, BR, US, ITC, (KISSINGER, HENRY A)
To: BRASILIA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006